



In the Matter of:

TOD ROCKEFELLER,

ARB CASE NO. 99-002

COMPLAINANT,

ALJ CASE NOS. 98-CAA-10

v.

98-CAA-11

U.S DEPARTMENT OF ENERGY,

DATE: October 14, 1998

and

WESTINGHOUSE ELECTRIC CO.,

RESPONDENTS.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

**NOTICE OF REVIEW
AND
ORDER ESTABLISHING BRIEFING SCHEDULE**

Complainant has petitioned for review of the Administrative Law Judge's (ALJ) Recommended Decision and Order which was issued on September 28, 1998. The following briefing schedule is established in this case. Complainant may file an initial brief, not to exceed thirty (30) double-spaced pages, on or before **November 13, 1998**. Respondents may file reply briefs, not to exceed thirty (30) double-spaced typed pages, on or before **December 14, 1998**. Complainant may file a rebuttal brief, exclusively responsive to the reply briefs and not to exceed ten (10) double-spaced typed pages, on or before **December 29, 1998**.

Complainant's attorney has also petitioned for review of the ALJ's Order Barring Counsel from Future Appearances. Attorneys who are suspended or barred by an ALJ may appeal such action to the Chief Administrative Law Judge. 29 C.F.R. § 18.36(b)(1998). Complainant's other concerns such as a motion for summary reversal and a request for oral argument will be addressed following briefing.

All pleadings and briefs are expected to conform to the stated page limitations unless prior approval of the Board has been granted and should be prepared in Courier (or typographic scalable) 12 point, 10 character-per-inch type or larger, double-spaced with minimum one inch

left and right margins and minimum 1 1/4 inch top and bottom margins, printed on 8 «« by 11 inch paper.

An original and four copies of all pleadings and brief (excluding the designated appendix) shall be filed with the Administrative Review Board, United States Department of Labor, 200 Constitution Avenue, N.W., Room S-4309, Washington, DC 20210.

FOR THE ADMINISTRATIVE REVIEW BOARD

Paul Greenberg

Member

Note: Questions regarding any case pending before the Board should be directed to the Board's staff assistant, Ernestine Battle.

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